

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CAVINAUGH L. HUGHES (#M-18138),)
Plaintiff,)
v.) Case No. 15 C 1685
SALVADOR GODINEZ, et al.,)
Defendants.)

MEMORANDUM ORDER

Plaintiff Cavinaugh Hughes' In Forma Pauperis Application ("Application") [Dkt. 3] is provisionally granted. Plaintiff Hughes, however, must submit a completed and certified Application that includes trust fund account statement information from each correctional institution in which he was in custody during the six-month period immediately preceding the filing of his Complaint. Because (1) the Application is unsigned by Hughes but was certified by the trust fund officer at Pontiac Correctional Center ("Pontiac") on January 28, 2015 and (2) Hughes signed the Complaint on February 2, 2015, but (3) the Complaint and Application were not received in the Clerk's Office until 2-1/2 weeks later (on February 20), this Court cannot determine the date of "filing" of the Complaint -- the date on which Hughes either mailed the Complaint himself or delivered it to prison authorities for mailing.

Accordingly Hughes must provide that date in a filing or a statement submitted with the Application. Because the trust fund printout that Hughes has already provided covers transactions at Pontiac from August 18, 2014 through January 19, 2015, the additional information that Hughes must now provide is:

1. a printout from Pontiac for the period from January 20, 2015 to the date of "filing" of the Complaint (the "X date"), and
2. a printout from Stateville Correctional Center (where he was previously in custody) from six months before the "X date" to August 18, 2014.

Hughes is given 35 days from the date of this order to comply. His failure to file a completed Application, including the required trust fund account statement information, will result in dismissal of this case.

Hughes' motion for the recruitment of counsel [Dkt. 4] is granted. This Court enlists Marvin A. Brustin, Brustin & Lundblad, Ltd., 10 North Dearborn Street, Suite 700, Chicago, IL 60602, 312-263-1250, email: mablaw1@voyager.net, to represent Hughes in accordance with counsel's trial bar obligations under N.D. Ill. LR 83.11(g) and 83.37 (for that purpose counsel should promptly communicate with Hughes to determine whether he may be of assistance to Hughes in complying with the requirements set out in the three opening paragraphs of this Order). Within 21 days after the date of this order counsel is directed to enter an appearance for Hughes. Within 63 days after the date of this order counsel is directed to investigate Hughes' claims and to inform this Court whether counsel intends to proceed with the Complaint currently on file or whether he intends to file an Amended Complaint. If counsel is unable to file an Amended Complaint, he should so inform the Court within that time frame. This Court sets an initial status hearing at 9 a.m. June 11, 2015.



Milton I. Shadur
Senior United States District Judge

Date: March 17, 2015